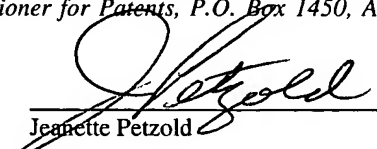


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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 29, 2004.*

  
Jeanette Petzold

Applicant : Andy Schwammberger, et al.  
Application No. : 10/814,926  
Filed : March 31, 2004  
Title : IMPLANT  
  
Grp./Div. : 3738  
Examiner : Unknown  
  
Docket No. : 52318/TJD/M881

**INFORMATION DISCLOSURE STATEMENT  
37 CFR § 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
June 29, 2004

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO/SB/08A/B listing the references that are known to applicant. Enclosed copies of each of the listed foreign references are from a corresponding European patent application. A copy of the European search report, and its English translation, identifying the references cited therein are also enclosed. This filing is timely because it is made during one of the periods described in 37 CFR § 1.97(b).

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application.

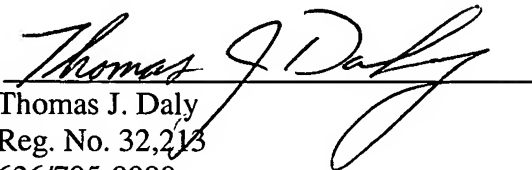
**Application No. 10/814,926**

Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

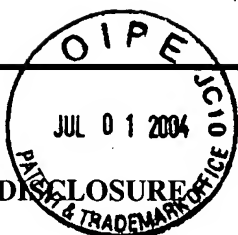
By

  
Thomas J. Daly  
Reg. No. 32,213  
626/795-9900

TJD/jmp

Enclosures: PTO/SB/08A/B, w/ foreign references  
European search report

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Attorney Docket Number	52318/TJD/M881
Application Number	10/814,926
Filing Date	March 31, 2004
Applicant(s)	Andy Schwammberger, et al.
Group Art Unit	3738
Examiner Name	Unknown

**U.S. PATENT DOCUMENTS**

EXAMINER INITIALS	Cite No. <sup>1</sup>	DOCUMENT NUMBER Number - Kind Code <sup>2</sup> (If Known)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE
		3,386,799	06-04-1968	Grodkiewicz et al.
		1,118,773	07-03-1968	Hammond et al.
		3,561,437	02-09-1971	Orlich
		3,604,414	09-14-1971	Borges
		3,741,205	06-26-1973	Markolf et al.
		3,807,394	04-30-1974	Attenborough
		3,814,089	06-04-1974	Deyerle
		4,096,857	06-27-1978	Cramer, et al.
		4,465,065	08-14-1984	Gotfried
		4,957,496	09-18-1990	Schmidt
		5,006,210	04-09-1991	Carter
		5,066,296	11-19-1991	Chapman et al.
		5,665,089	09-09-1997	Dall et al.
		US 6,348,052 B1	02-19-2002	Giacomo
		US 2002/0183753 A1	12-05-2002	Manderson

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup> (✓)
		FR 2 291 734	06-18-1976	Tornier	(✓)abstract
		DE 27 05 154 A1	08-10-1978	Baumann, et al	(✓)abstract
		WO 89/09037	10-05-1989	Pawluk	(✓)
		CA 2,047,521	01-24-1992	Frigg	(✓)

EXAMINER SIGNATURE	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.pto.gov](http://www.pto.gov) or MPEP 901.4. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English Language Translation is attached.

<b>FORM PTO/SB/08A/B (10-01)</b> Substitute for PTO-1449A/B  <b>INFORMATION DISCLOSURE</b>  <b>STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Attorney Docket Number</b>	<b>52318/TJD/M881</b>
	<b>Application Number</b>	<b>10/814,926</b>
	<b>Filing Date</b>	<b>March 31, 2004</b>
	<b>Applicant(s)</b>	<b>Andy Schwammberger, et al.</b>
	<b>Group Art Unit</b>	<b>3738</b>
	<b>Examiner Name</b>	<b>Unknown</b>

FOREIGN PATENT DOCUMENTS					
EXAMINER INITIALS	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup> (✓)
		EP 0 491 382 B1	08-21-1996	Tsutaki et al.	(✓)
		EP 0 468 192 B1	09-11-1996	Frigg	(✓)abstract
		EP 0 791 338 A2	08-27-1997	Chan	(✓)
		EP 0 897 233 A2	02-17-1999	Jandrell	(✓)
		DE 102 26 074 A1	01-16-2003	Willmen et al.	(✓)abstract
		FR 2 827 500 A1	01-24-03	Tornier	(✓)abstract

OTHER DOCUMENTS		
EXAMINER INITIALS	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

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<b>EXAMINER SIGNATURE</b>		<b>DATE CONSIDERED</b>	
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.pto.gov or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.			

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